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EXAMINER	
TURNER, ASHLEY D	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/747,705	CROMER ET AL.	
	Examiner	Art Unit	
	Ashley D. Turner	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *30 October 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The specification does not provide a clear antecedent basic for the term " tangible medium" found in claim 14.

Claim Objections

2. The Examiner withdraws the objections of claims 1,4,5,6,8,11,12,13,14,15,17,19 Applicant's arguments' are moot.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 14 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 14 is unclear which statutory category applicant is referring to, whether the claim is a manufacture or a method claim.

Claim Rejections - 35 USC § 101

Claims 14-20 are rejected under U.S.C.101 because the claimed invention is directed to non-statutory subject matter.

Independent claim 14 is drawn towards a program product comprising: computer readable code stored on a tangible medium, the computer readable code containing instructions for execution by a computer, which , when executed by the computer, cause the computer to implement a method of processing an enhanced presence ping request, the method comprising : retrieving an enhanced presence ping bit at a client, identifying, at the client, that the enhanced presence ping bit is enabled, wherein the enablement of the enhanced presence pint bit corresponds to an enhanced presence ping mode; collecting enhanced status information at the client based upon the identifying, wherein the enhanced status information is selected from the group consisting of a total packet number, a signal strength, and a system power state; and sending the enhanced status information form the client to an access point over a wireless network. In order for the method claim to be statutory, it must result in useful, concrete, tangible results. In this instance case, there is no apparent definition of a tangible media in the specification. This implies it could be a transmission medium, which is not one of the four statutory categories. As such, the subject matter of the claim is not patent eligible.

Claims 15-20 fail to solve the deficiencies of claim 14 and thus are rejected for the same.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 14, 15 are rejected under 35 U.S.C. 102 (b) as being unpatentable over Netbotz (WO 02/0601624) in view of Hasse (US 2005/0208950 A1).

Referring to claim 1 Netbotz discloses a computer implemented method comprising retrieving an enhanced presence ping bit at a client; identifying, at the client, that the enhanced presence ping bit is enabled, wherein the enablement of the enhanced presence ping bit corresponds to an enhanced presence ping mode (page 4 lines 25-27); collecting enhanced status information at the client based upon the identification.

(page 4 lines 12-13); and sending the enhanced status information from the client (page 4 line 14-15) to an access point over a wireless network (page 4 line 22). Netbotz did not disclose wherein the enhanced status information is selected from the group consisting of a total packet number, a signal strength, and a system power state. The general concept of wherein the enhanced status information is selected from the group consisting of a total packet number, a signal strength, and a system power state is well known in the art as taught by Hasse. Hasse discloses wherein the enhanced status information is selected from the group consisting of a total packet number, a signal strength, and a system power state. (Pg. 3 [0018] –[0021]The present invention is particularly useful to balance the load situation in wireless communication networks in such a manner that a subscriber terminal may perform a roaming to another AP in order to achieve a better data throughput even if the signal strength situation would not require such a change of the serving AP. Thus, the capacity of APs available for the subscriber terminal is used in an improved manner. Furthermore, a so-called ping-pong effect during a roaming procedure for a subscriber terminal can be suppressed. Load balancing according to the present invention is useful, for example, in a WLAN environment, e.g. according to the IEEE 802.11 standard and its extensions, such as IEEE 802.11h. The access point status information may comprise an access point identification element, such as a MAC address and an access point load status indicator, which is determined for each access point and defines a load situation for the access point. Communication status information determined, for example, in the subscriber terminal may comprise a received signal strength indicator RSSI indicating

the received signal strength for communications between access points and said subscriber terminal. Furthermore, a carrier to interference ratio C/I per each access point may be determined for the communication status information. Additionally, a terminal transmit power status may be determined for the communication status information.) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Netbotz to include wherein the enhanced status information is selected from the group consisting of a total packet number, a signal strength, and a system power state in order to provide serves as a distribution network for connecting the APs to one another and to external destination points such as other WLANs or fixed networks.

Regarding claim 14 computer readable code stored on a tangible medium, the computer readable code containing instructions for execution by a computer, which , when executed by the computer, cause the computer to implement a method of processing an enhanced presence ping request, the method comprising : Netbotz discloses retrieving an enhanced presence ping bit at a client; identifying, at the client, that the enhanced presence ping bit is enabled, wherein the enablement of the enhanced presence ping bit corresponds to an enhanced presence ping mode (page 4 lines 25-27); collecting enhanced status information at the client based upon the identification. (page 4 lines 12-13); and sending the enhanced status information from

the client (page 4 line 14-15) to an access point over a wireless network (page 4 line 22). Netbotz did not disclose wherein the enhanced status information is selected from the group consisting of a total packet number, a signal strength, and a system power state. The general concept of wherein the enhanced status information is selected from the group consisting of a total packet number, a signal strength, and a system power state is well known in the art as taught by Hasse. Hasse discloses wherein the enhanced status information is selected from the group consisting of a total packet number, a signal strength, and a system power state. (Pg. 3 [0018] –[0021]The present invention is particularly useful to balance the load situation in wireless communication networks in such a manner that a subscriber terminal may perform a roaming to another AP in order to achieve a better data throughput even if the signal strength situation would not require such a change of the serving AP. Thus, the capacity of APs available for the subscriber terminal is used in an improved manner. Furthermore, a so-called ping-pong effect during a roaming procedure for a subscriber terminal can be suppressed. Load balancing according to the present invention is useful, for example, in a WLAN environment, e.g. according to the IEEE 802.11 standard and its extensions, such as IEEE 802.11h. The access point status information may comprise an access point identification element, such as a MAC address and an access point load status indicator, which is determined for each access point and defines a load situation for the access point. Communication status information determined, for example, in the subscriber terminal may comprise a received signal strength indicator RSSI indicating the received signal strength for communications between access points and said

subscriber terminal. Furthermore, a carrier to interference ratio C/I per each access point may be determined for the communication status information. Additionally, a terminal transmit power status may be determined for the communication status information.) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Netbotz to include wherein the enhanced status information is selected from the group consisting of a total packet number, a signal strength, and a system power state in order to provide serves as a distribution network for connecting the APs to one another and to external destination points such as other WLANs or fixed networks.

Referring to claim 2 Netbotz and Hasse discloses all the limitations of claim 2 which is described above. Netbotz also discloses determining, at the client, that a timer is enabled, the timer corresponding to a time at which to send the enhanced status information; detecting that the enabled timer has expired (page 18 lines 18-22); and performing the collecting and the sending in response to the detecting (page 26 lines 29-35).

Claims 3-13 and 16-20 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Netbotz (WO 02/0601624) in view of Hasse (US 2005/0208950 A1) further in view of Nowlin (US 2003/0144009 A1).

Referring to claim 3 Netbotz and Hasse discloses all the limitations of claim 3 which is described above. Netbotz did not disclose the limitations of receiving a ping request at the client from the access point and performing the collecting and the sending in response to receiving the ping request. The general concept of receiving a ping request from the access point; and performing the collecting and the sending in response to receiving the ping request is well known in the art as taught by Nowlin. Nowlin discloses, " receiving a ping request at the client from the access point; and performing the collecting and the sending in response to receiving the ping request."(page 1. [0022]). It would have been obvious to one of ordinary skill in the art to modify Netbotz invention to include "receiving a ping request at the client from the access point; and performing the collecting and the sending in response to receiving the ping request" in order to see if a particular host is reachable across an IP network.

Referring to claim 5 Netbotz and Hasse discloses all the limitations of claim 5 which is described above. Netbotz did not disclose the limitations of receiving an enhanced presence ping control packet at the client from the access point; and enabling the enhanced presence ping bit at the client in response to receiving the enhanced presence ping control packet. The general concept of receiving an enhanced presence ping control packet from the access point; and enabling the enhanced presence ping bit in response to receiving the enhanced presence ping control packet is well known in the art as taught by Nowlin. Nowlin discloses, "receiving an enhanced presence ping control

packet from the access point; and enabling the enhanced presence ping bit in response to receiving the enhanced presence ping control packet" [0023]. It would have been obvious to one of ordinary skill in the art to modify Netbotz invention to include "receiving an enhanced presence ping control packet from the access point; and enabling the enhanced presence ping bit at the client in response to receiving the enhanced presence ping control packet" in order to see if a particular host is reachable across an IP network.

Referring to claim 6 Netbotz and Hasse discloses all the limitations of claim 6 described above. Nebotz did not disclose "wherein the access point is adapted to send the enhanced presence ping control packet to the client in response to receiving an administrator request from an administrator, and wherein the access point is also adapted to provide the collected enhanced status information to the administrator. The general concept of the access point is adapted to send the enhanced presence ping control packet in response to receiving an administrator request from an administrator, and wherein the access point is also adapted to provide the collected enhanced status information to the administrator is well known in the art as taught by Nowlin. Nowlin discloses the access point is adapted to send the enhanced presence ping control packet to the client in response to receiving an administrator request from an administrator, and wherein the access point is also adapted to provide the collected

enhanced status information to the administrator [0019][0021] and [0022]. It would have been obvious to one of ordinary skill in the to modify Netbotz invention to include the access point is adapted to send the enhanced presence ping control packet to the client in response to receiving an administrator request from an administrator, and wherein the access point is also adapted to provide the collected enhanced status information to the administrator in order to provide successful service to the user.

Referring to claim 7 Nebotz and Hasse discloses all the limitations of claim 7which is described above. Nebotz did not disclose wherein the wireless network functions as a shared transmission medium. The general concept of the wireless network functions, as a shared transmission medium is well known in the art as taught by Nowlin. Nowlin discloses the wireless network functions as a shared transmission medium ([0042] lines 11-15). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nebotz to include the wireless network functions as a shared transmission medium in order to carry a signal or wave.

Referring to claim 8 Nebotz discloses information one or more nonvolatile storage; one or more nonvolatile storage devices accessible by the processors (page 17 lines 29-35); collect enhanced status information at the client from one of the nonvolatile storage devices based upon the identification (page 17 lines 36-40) (page 18 lines 4-10); one or more timers (page 18 lines19-22). Nebotz did not disclose "an information handling

system handling system comprising: one more processors; a memory accessible by the processors; one or more nonvolatile storage devices accessible by the processors; one or more registers; and a enhanced presence ping tool for providing enhanced status information, the enhanced presence ping tool comprising software code effective to: retrieve an enhanced presence ping bit at a client from one of the registers; identify at the client that the enhanced presence ping bit is enabled, wherein the enablement of the enhanced presence ping bit corresponds to an enhanced presence ping mode; wherein the enhanced status information is selected from the group consisting of a total packet number, asignal strength, and a system power state; and send the enhanced status information to an access point over a wireless network". The general concept of wherein the enhanced status information is selected from the group consisting of a total packet number, asignal strength, and a system power state iswell known in the art as taught by Hasse. Hasse discloses wherein the enhanced status information is selected from the group consisting of a total packet number, asignal strength, and a system power state (Pg, 3[0018] - [0021] 0018] The present invention is particularly useful to balance the load situation in wireless communication networks in such a manner that a subscriber terminal may perform a roaming to another AP in order to achieve a better data throughput even if the signal strength situation would not require such a change of the serving AP. Thus, the capacity of APs available for the subscriber terminal is used in an improved manner. Furthermore, a so-called ping-pong effect during a roaming procedure for a subscriber terminal can be suppressed. Load balancing according to the present invention is useful, for example, in a WLAN environment, e.g. according to

the IEEE 802.11 standard and its extensions, such as IEEE 802.11h. The access point status information may comprise an access point identification element, such as a MAC address and an access point load status indicator, which is determined for each access point and defines a load situation for the access point. Communication status information determined, for example, in the subscriber terminal may comprise a received signal strength indicator RSSI indicating the received signal strength for communications between access points and said subscriber terminal. Furthermore, a carrier to interference ratio C/I per each access point may be determined for the communication status information. Additionally, a terminal transmit power status may be determined for the communication status information). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Netbotz to include wherein the enhanced status information is selected from the group consisting of a total packet number, a signal strength, and a system power state in order to provide serves as a distribution network for connecting the APs to one another and to external destination points such as other WLANs or fixed networks.

Netbotz and Hasse did not disclose" an information handling system handling system comprising: one more processors; a memory accessible by the processors; one or more registers; and a enhanced presence ping tool for providing enhanced status information, the enhanced presence ping tool comprising software code effective to: retrieve an enhanced presence ping bit at a client from one of the registers; identify at the client

that the enhanced presence ping bit is enabled, wherein the enablement of the enhanced presence ping bit corresponds to an enhanced presence ping mode; and send the enhanced status information to an access point over a wireless network". The general concept of an information handling system handling system comprising: one more processors; a memory accessible by the processors; one or more registers; and a enhanced presence ping tool for providing enhanced status information, the enhanced presence ping tool comprising software code effective to: retrieve an enhanced presence ping bit at a client from one of the registers; identify at the client that the enhanced presence ping bit is enabled, wherein the enablement of the enhanced presence ping bit corresponds to an enhanced presence ping mode; and send the enhanced status information to an access point over a wireless network" is well known in the art as taught by Nowlin. Nowlin discloses "an information handling system handling system comprising: one more processors; a memory accessible by the processors [0023]; one or more registers [0042]; and a enhanced presence ping tool for providing enhanced status information, the enhanced presence ping tool comprising software code effective to [0023][0044]: retrieve an enhanced presence ping bit at a client from one of the registers [0042]; identify, at the client that the enhanced presence ping bit is enabled, wherein the enablement of the enhanced presence ping bit corresponds to an enhanced presence ping mode; wherein the enhanced status information is selected from the group consisting of a total packet number, asignal strength, and a system power state; and send the enhanced status information to an access point over a wireless network(Abstract)". It would have been obvious to one of

ordinary skill in the art at the time of the invention to modify Nebotz invention to include "an information handling system handling system comprising: one more processors; a memory accessible by the processors; one or more registers; and a enhanced presence ping tool for providing enhanced status information, the enhanced presence ping tool comprising software code effective to: retrieve an enhanced presence ping bit from one of the registers; identify at the client that the enhanced presence ping bit is enabled, wherein the enablement of the enhanced presence ping bit corresponds to an enhanced presence ping mode; and send the enhanced status information to an access point over a wireless network in order to " in order to see if a particular host is reachable across an IP network.

Referring to claim 9 Nebotz, Hasse, and Nowlin discloses all the limitations of claim 9 which is described above. Nebotz also discloses software code is further effective to: determine, at the client that one of the timers is enabled, the timer corresponding to a time at which to send the enhanced status information; detect that the enabled timer has expired (page 26 lines 29-35); and perform the collecting and the sending in response to the detecting (page 26 lines 29-35).

Referring to claim 10 Netbotz, Hasses, and Nowlin discloses all the limitations of claim 10 which is described above. Netbotz did not disclose the limitations of receive a ping request at the client from the access point and perform the collecting and the sending in

response to receiving the ping request. The general concept of receive a ping request at the client from the access point; and perform the collecting and the sending in response to receiving the ping request is well known in the art as taught by Nowlin. Nowlin discloses, " receiving a ping request from the access point; and performing the collecting and the sending in response to receiving the ping request."(page 1. [0022]). It would have been obvious to one of ordinary skill in the art to modify Netbotz invention to include "receiving a ping request at the client from the access point; and performing the collecting and the sending in response to receiving the ping request" in order to see if a particular host is reachable across an IP network.

Referring to claim 12 Netbotz, Hasse, Nowlin discloses all the limitations of claim 12 which is described above. Netbotz did not disclose the limitations of receive an enhanced presence ping control packet at the client from the access point; and enable the enhanced presence ping bit at the client in response to receiving the enhanced presence ping control packet. The general concept of receive an enhanced presence ping control packet at the client from the access point; and enable the enhanced presence ping bit at the client in response to receiving the enhanced presence ping control packet is well known in the art as taught by Nowlin. Nowlin discloses, "receive an enhanced presence ping control packet at the client from the access point; and enable the enhanced presence ping bit at the client in response to receiving the enhanced presence ping control packet" [0023]. It would have been obvious to one of

ordinary skill in the art to modify Netbotz invention to include "receive an enhanced presence ping control packet at the client from the access point; and enable the enhanced presence ping bit at the client in response to receiving the enhanced presence ping control packet" in order to see if a particular host is reachable across an IP network.

Referring to claim 13 Netbotz, Hasse, Nowlin discloses all the limitations of claim 13 described above. Nebotz did not disclose " wherein the access point is adapted to send the enhanced presence ping control packet to the client in response to receiving an administrator request from an administrator, and wherein the access point is also adapted to provide the collected enhanced status information to the administrator. The general concept of the access point is adapted to send the enhanced presence ping control packet to the client in response to receiving an administrator request from an administrator, and wherein the access point is also adapted to provide the collected enhanced status information to the administrator is well known in the art as taught by Nowlin. Nowlin discloses the access point is adapted to send the enhanced presence ping control packet to the client in response to receiving an administrator request from an administrator, and wherein the access point is also adapted to provide the collected enhanced status information to the administrator [0019][0021] and [0022]. It would have been obvious to one of ordinary skill in the to modify Netbotz invention to include the access point is adapted to send the enhanced presence ping control packet in to the client response to receiving an administrator request from an administrator, and wherein

the access point is also adapted to provide the collected enhanced status information to the administrator in order to provide successful service to the user.

Referring to claim 18 Netbotz, Hasse, and Nowlin discloses all the limitations of claim 18 which is described above. Netbotz did not disclose the limitations of receiving an enhanced presence ping control packet at the client from the access point; and enabling the enhanced presence ping bit at the client in response to receiving the enhanced presence ping control packet. The general concept of receiving an enhanced presence ping control packet at the client from the access point; and enabling the enhanced presence ping bit at the client in response to receiving the enhanced presence ping control packet is well known in the art as taught by Nowlin. Nowlin discloses, "receiving an enhanced presence ping control packet at the client from the access point; and enabling the enhanced presence ping bit at the client in response to receiving the enhanced presence ping control packet" [0023]. It would have been obvious to one of ordinary skill in the art to modify Netbotz invention to include "receiving an enhanced presence ping control packet at the client from the access point; and enabling the enhanced presence ping bit at the client in response to receiving the enhanced presence ping control packet" in order to see if a particular host is reachable across an IP network.

Referring to claim 19 Netbotz, Hasse, Nowlin discloses all the limitations of claim 19 described above. Nebotz did not disclose " wherein the access point is adapted to send the enhanced presence ping control packet to the client in response to receiving an administrator request from an administrator, and wherein the access point is also adapted to provide the collected enhanced status information to the administrator. The general concept of the access point is adapted to send the enhanced presence ping control packet to the client in response to receiving an administrator request from an administrator, and wherein the access point is also adapted to provide the collected enhanced status information to the administrator is well known in the art as taught by Nowlin. Nowlin discloses the access point is adapted to send the enhanced presence ping control packet to the client in response to receiving an administrator request from an administrator, and wherein the access point is also adapted to provide the collected enhanced status information to the administrator [0019][0021] and [0022]. It would have been obvious to one of ordinary skill in the to modify Netbotz invention to include the access point is adapted to send the enhanced presence ping control packet to the client in response to receiving an administrator request from an administrator, and wherein the access point is also adapted to provide the collected enhanced status information to the administrator in order to provide successful service to the user.

Referring to claim 20 Nebotz, Hasse, Nowlin discloses all the limitations of claim 20 which is described above. Nebotz did not disclose wherein the wireless network

functions as a shared transmission medium. The general concept of the wireless network functions, as a shared transmission medium is well known in the art as taught by Nowlin. Nowlin discloses the wireless network functions as a shared transmission medium ([0042] lines 11-15). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nebotz to include the wireless network functions as a shared transmission medium in order to carry a signal or wave.

Response to Arguments

Applicant's arguments filed on 10/30/2007 have been fully considered but they are deemed moot in view of the new grounds of rejections.

Conclusion

Arguments are deemed moot in view of the new grounds of rejection necessitated by the amendment.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashley D. Turner whose telephone number is 571-270-1603. The examiner can normally be reached on Monday thru Friday 7:30a.m.-5:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ashley D Turner
Examiner
Art Unit 2154

NATHAN FLYNN
SUPERVISORY PATENT EXAMINER